



RULE-MAKING ORDER

CR-103E (July 2011)
(Implements RCW 34.05.350)

Agency: Washington Department of Fish and Wildlife

Emergency Rule Only

Effective date of rule:

Emergency Rules 15-31

- Immediately upon filing.
- Later (specify) March 1, 2015

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: Amend recreational fishing rules

Citation of existing rules affected by this order:

Repealed:
 Amended: WAC 220-310-185
 Suspended:

Statutory authority for adoption: RCW 77.04.012, 77.04.020, and 77.12.047

Other authority :

EMERGENCY RULE

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal year 2009, 2010, 2011, 2012, or 2013, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: The pre-season forecast is for a return of 1,100 adult spring Chinook to the Lewis River in 2015. The closure is necessary to provide enough fish to meet the hatchery escapement goal of approximately 1,350 fish. The hatchery escapement goal for late winter run steelhead in the Kalama River is expected to be met and surplus fish are available for harvest providing additional angling opportunity. There is insufficient time to adopt permanent rules.

Date adopted: February 20, 2015

NAME (TYPE OR PRINT)
J W Unsworth

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: February 20, 2015
TIME: 3:42 PM

WSR 15-06-011

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	<u>2</u>	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTION

WAC 220-310-18500N Freshwater exceptions to statewide rules—Lewis River.

Notwithstanding the provisions of WAC 220-310-185:

(1) Effective March 1, 2015, until further notice, it is unlawful to fish for or possess Chinook salmon in the following waters:

- (a) Lewis River – from the mouth upstream to the mouth of the East Fork.
- (b) North Fork Lewis River – from the mouth of East Fork upstream to the overhead powerlines below Merwin Dam.

NEW SECTION

WAC 220-310-18500P Freshwater exceptions to statewide rules—Kalama River.

Notwithstanding the provisions of WAC 220-310-185, effective March 1, 2015, until further notice, the daily limit is three hatchery steelhead in the waters of the Kalama River from boundary markers at the mouth to 1,000 feet below fishway at the upper salmon hatchery.

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (x) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- () That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.
- () That in order to implement the requirements or reductions in appropriations enacted in any budget for fiscal years 2009, 2010, or 2011, which necessitates the need for the immediate adoption, amendment, or repeal of a rule, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the fiscal needs or requirements of the agency.

Reasons for this finding: The pre-season forecast is for a return of 1,100 adult spring Chinook to the Lewis River in 2015. The closure is necessary to provide enough fish to meet the hatchery escapement goal of approximately 1,350 fish. The hatchery escapement goal for late winter run steelhead in the Kalama River is expected to be met and surplus fish are available for harvest providing additional angling opportunity. There is insufficient time to adopt permanent rules.
(15-31, 2/20/2015)

